

good cause, we find that an NPRM is impracticable, unnecessary, or contrary to the public interest. We place that finding and a brief statement of the reasons for it in the final rule. For example, we may issue a final rule in response to a safety emergency.

(b) If an NPRM would be unnecessary because we do not expect to receive adverse comment, we may issue a direct final rule.

#### **§ 11.31 How does FAA process direct final rules?**

(a) A direct final rule will take effect on a specified date unless FAA receives an adverse comment or notice of intent to file an adverse comment within the comment period—generally 60 days after the direct final rule is published in the *FEDERAL REGISTER*. An adverse comment explains why a rule would be inappropriate, or would be ineffective or unacceptable without a change. It may challenge the rule's underlying premise or approach. Under the direct final rule process, we do not consider the following types of comments to be adverse:

(1) A comment recommending another rule change, in addition to the change in the direct final rule at issue. We consider the comment adverse, however, if the commenter states why the direct final rule would be ineffective without the change.

(2) A frivolous or insubstantial comment.

(b) If FAA has not received an adverse comment or notice of intent to file an adverse comment, we will publish a confirmation document in the *FEDERAL REGISTER*, generally within 15 days after the comment period closes. The confirmation document tells the public the effective date of the rule.

(c) If we receive an adverse comment or notice of intent to file an adverse comment, we will advise the public by publishing a document in the *FEDERAL REGISTER* before the effective date of the direct final rule. This document may withdraw the direct final rule in whole or in part. If we withdraw a direct final rule because of an adverse comment, we may incorporate the commenter's recommendation into another direct final rule or may publish a notice of proposed rulemaking.

#### **§ 11.33 How can I track FAA's rule-making activities?**

The best ways to track FAA's rule-making activities are with the docket number or the regulation identifier number.

(a) *Docket number*. We assign a docket number to each rulemaking proceeding. Each rulemaking document FAA issues in a particular rulemaking proceeding, as well as public comments on the proceeding, will display the same docket number. This number allows you to search DOT's Docket Management System (DMS) for information on most rulemaking proceedings. You can view and copy docket materials during regular business hours at the U.S. Department of Transportation, Plaza Level 401, 400 7th Street, SW., Washington, DC 20590-0001. Or you can view and download docketed materials through the Internet at <http://dms.dot.gov>. If you can't find the material in the electronic docket, contact the person listed under **FOR FURTHER INFORMATION CONTACT** in the document you are interested in.

(b) *Regulation identifier number*. DOT publishes a semiannual agenda of all current and projected DOT rulemakings, reviews of existing regulations, and completed actions. This semiannual agenda appears in the Unified Agenda of Federal Regulations, published in the *FEDERAL REGISTER* in April and October of each year. The semiannual agenda tells the public about DOT's—including FAA's—regulatory activities. DOT assigns a regulation identifier number (RIN) to each individual rulemaking proceeding in the semiannual agenda. This number appears on all rulemaking documents published in the *FEDERAL REGISTER* and makes it easy for you to track those rulemaking proceedings in both the *FEDERAL REGISTER* and the semiannual regulatory agenda.

#### **§ 11.35 Does FAA include sensitive security information and proprietary information in the Docket Management System (DMS)?**

(a) *Sensitive security information*. You should not submit sensitive security information to the rulemaking docket, unless you are invited to do so in our request for comments. If we ask for